

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

DENISE WUBBEN, Plaintiff, vs. YANKTON COUNTY, SOUTH DAKOTA, DAN KLIMISCH, IN HIS INDIVIDUAL CAPACITY; AND GARY SWENSEN, IN HIS INDIVIDUAL CAPACITY; Defendants.	4:19-CV-04109-KES ORDER DENYING AS MOOT DEFENDANTS' MOTION TO BIFURCATE Docket No. 36
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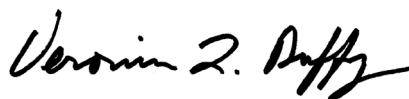
Defendants Dan Klimisch and Yankton County moved the court to bifurcate trial of the claims against them from the claims plaintiff asserts against defendant Gary Swensen. See Docket No. 36. Both this motion to bifurcate as well as two pending motions for summary judgment were referred to this magistrate judge. In a separate opinion filed this same date, this magistrate judge is recommending granting both pending motions for summary judgment in their entirety and dismissing each of plaintiff's claims. Therefore, it is hereby

ORDERED that the motion to bifurcate by defendants Klimisch and Yankton County is denied as moot. Should the district court reject this court's

recommendation as to the summary judgment motions, defendants are free to renew their motion to bifurcate at that time.

DATED this 11th day of February, 2022.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Veronica L. Duffy", written in a cursive style.

VERONICA L. DUFFY

United States Magistrate Judge